

PATENT

Attorney Docket No. MRH-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Spiers, William A. CONFIRMATION NO.: 1622
INTERNATIONAL June 17, 2004 INTERNATIONAL PCT/GB04/02581
FILING DATE: APPLICATION NO.:
U.S. APPLICATION 10/561,766
NO.:
TITLE: Leukocyte Cell Banks

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL RESPONSE TO NOTICE OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE**

Sir:

This paper is supplemental to papers filed by the Applicant on October 4, 2006, under Express Mail Mailing Label No. EV899585642US, in relation to the above-identified patent application, which papers were responsive to the Notice of Missing Requirements mailed from the U.S. Patent and Trademark Office on April 6, 2006.

While the Notice of Missing Requirements, a copy of which accompanies this letter, did specify that an oath or declaration in compliance with 37 C.F.R. 1.497(a) was required to complete the requirements for acceptance of this application under 37 C.F.R. 371, the Notice did not indicate that a surcharge for late filing of an oath or declaration under 37 C.F.R. 1.492(h) was required.

Applicant submitted a Declaration in response to the Notice with his submission of October 4, 2006, in relation to this application. If a late oath or declaration surcharge under 37 C.F.R. 1.492(h) is required in connection with that submission, please charge the late oath or declaration surcharge at the small entity rate to Attorney's Deposit Account No. 50-1721. Also,

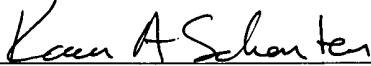
please charge any fee required to maintain pendency of the above-identified application to
Attorney's Deposit Account No. 50-1721.

Respectfully submitted,

Date: October 6, 2006
Reg. No. 58,343

Tel. No.: (617) 261-3216
Fax No.: (617) 261-3175

BOS-1014637 v1



Karen A. Schouten
Attorney for the Applicants
Kirkpatrick & Lockhart Nicholson
Graham LLP
State Street Financial Center
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Boston, Massachusetts 02111-2950

Express Mail Mailing Label No. EV899585625US

TRANSMITTAL
FORM

Application Serial Number	10/561,766
Filing Date	December 21, 2005
First Named Inventor	Spiers
International Application No.:	PCT/GB04/02581
International Filing Date:	June 17, 2004
Attorney Docket No.	MRH-001
Confirmation No.	1622

ENCLOSURES (check all that apply)

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 page)
<input type="checkbox"/> Check
<input checked="" type="checkbox"/> Copy of Fee Transmittal Form (1 page)

<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> Preliminary
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)

<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]

<input type="checkbox"/> Petition for Four Month Extension of Time

<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations

<input type="checkbox"/> Certified Copy of Priority document(s)
<input type="checkbox"/> Sequence Listing submission
<input type="checkbox"/> Paper Copy/CD
<input type="checkbox"/> Computer Readable Copy
<input type="checkbox"/> Statement verifying identity of above | <input checked="" type="checkbox"/> Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (2 pages)
<input type="checkbox"/> Formal Drawing(s)
<input type="checkbox"/> Request For Continued Examination (RCE) Transmittal

<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)

<input type="checkbox"/> Terminal Disclaimer

<input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application
<input type="checkbox"/> Small Entity Statement

<input type="checkbox"/> CD(s) for large table or computer program
<input type="checkbox"/> Amendment After Allowance

<input type="checkbox"/> Request for Certificate of Correction
<input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences

<input type="checkbox"/> Appeal Brief (in triplicate)
<input type="checkbox"/> Status Inquiry

<input checked="" type="checkbox"/> Return Receipt Postcard

<input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8

<input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8

<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)

Supplemental Response to Notice of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office (2 pages) |
|---|--|--|

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
 Kirkpatrick & Lockhart Nicholson
 Graham LLP
 State Street Financial Center
 One Lincoln Street
 Boston, MA 02111-2950
 Tel. No.: (617) 261-3100
 Fax No.: (617) 261-3175

SIGNATURE BLOCK

Respectfully submitted,



Karen A. Schouten
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 Boston, MA 02111-2950

Date: October 6, 2006
 Reg. No. 58,343
 Tel. No.: (617) 261-3216
 Fax No.: (617) 261-3175

FEE TRANSMITTAL **FY 2006**

Complete if Known

U.S. Application No.	10/561,766
U.S. Filing Date	December 21, 2005
International Application No.	PCT/GB04/02581
International Filing Date	June 17, 2004
Attorney Docket No.	MRH-001

METHOD OF PAYMENT

1. ☐ Payment Enclosed:
☐ Check ☐ Money Order ☐ Other

2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-1721.

- ☒ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.

3. ☒ Applicant claims small entity status.

FEE CALCULATION**1. FILING/SEARCH/EXAM/SIZE FEES****Large Entity**

Fee (\$)	Fee Description	Fee Paid
300	Utility filing fee	
500	Utility search fee	
200	Utility exam fee	
250	Utility size fee (each add'l 50 pgs. over 100)	
200	Design filing fee	
100	Design search fee	
130	Design exam fee	
250	Design size fee (each add'l 50 pgs. over 100)	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 50.00 =

Independent Claims - 3 = x \$200.00 =

☐ Multiple Dependent Claim(s), if any \$360.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 0.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 50.00 =

Indep. - = x \$200.00 =

☐ First Presentation of Multiple Dep. Claim + \$360.00 =

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 0.00

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	65.00
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1020	510	Extension for reply within third month	
1590	795	Extension for reply within fourth month	
2160	1080	Extension for reply within fifth month	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1000	500	Request for oral hearing	
400	400	Petitions to the Commissioner (Gp. I)	
200	200	Petitions to the Commissioner (Gp. II)	
130	130	Petitions to the Commissioner (Gp. III)	
180	180	Submission of Information Disclosure Statement	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
130	65	Submission of Terminal Disclaimer	
Other fee (Specify)			
Other fee (Specify)			

SUBTOTAL (3) (\$) 65.00

SUBTOTAL (1)

SUBTOTAL (2)

SUBTOTAL (3) 65.00

TOTAL (\$) 65.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

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SIGNATURE BLOCK

Respectfully submitted,

Karen A Schouten
 Karen A. Schouten
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Express Mail Mailing Label No. EV899585625US



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,766	William Arthur Spiers	MRH-001

INTERNATIONAL APPLICATION NO.

PCT/GB04/02581

22832
 KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP
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 ONE LINCOLN STREET
 BOSTON, MA 02111-2950

I.A. FILING DATE	PRIORITY DATE
06/17/2004	06/21/2003

CONFIRMATION NO. 1622

371 FORMALITIES LETTER



OC000000018461809

COPY

Date Mailed: 04/06/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/21/2005
- Copy of the International Search Report filed on 12/21/2005
- Preliminary Amendments filed on 12/21/2005
- Copy of references cited in ISR filed on 12/21/2005
- U.S. Basic National Fees filed on 12/21/2005
- Priority Documents filed on 12/21/2005
- Power of Attorney filed on 12/21/2005
- Specification filed on 12/21/2005
- Claims filed on 12/21/2005
- Abstracts filed on 12/21/2005

MAR 10 2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

COPY

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,766	PCT/GB04/02581	MRH-001

FORM PCT/DO/EO/905 (371 Formalities Notice)